



02-07-05

PATENT  
Docket No. M&R 134.01900101  
(P-10908.00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): BENZ et al.

) Group Art Unit: 1711

Serial No.: 10/663,925

) Examiner: Unassigned

Confirmation No.: 2297

)

Filed: September 16, 2003

)

For: POLYMERS WITH SOFT SEGMENTS CONTAINING SILANE-CONTAINING GROUPS, MEDICAL DEVICES, AND METHODS

COMMUNICATION RE:  
NOTICE UNDER 37 CFR 1.251 - PENDING APPLICATION

Commissioner for Patents  
Mail Stop Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Communication is in response to the "Notice Under 37 CFR 1.251 - Pending Application," mailed December 14, 2004, and the "Notice Under 37 CFR 1.251 - Pending Application," mailed December 21, 2004.

The Notice mailed December 14, 2004 requests Applicants to provide a copy of "Corrected Filing Receipts, Specification, Claim, and Abstract on 01-12-2004." Applicants have not requested a corrected filing receipt, nor have they received a Corrected Filing Receipt from the U.S. Patent and Trademark Office. Therefore, Applicants cannot provide a copy. In addition, Applicants did not file a specification, claim or abstract on "01-12-2004." Applicants do submit herewith, however, a copy of the Specification, Claims, and Abstract which were originally filed on September 16, 2003, and a copy of the PTO date-stamped return postcard.

The Notice mailed December 21, 2004 requests Applicants to provide a copy of "Request for corrected filing receipt, claim, abstract dated 01/12/04." Again, Applicants have not requested a corrected filing receipt, and cannot provide a copy. And again, Applicants did not file a claim or abstract on "01/12/04." As stated above, Applicants submit herewith a copy of the claims and abstract which were originally filed on September 16, 2003.

**COMMUNICATION RE: NOTICE UNDER 37 CFR 1.251 - PENDING APPLICATION**

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Please direct any inquiries to the undersigned attorney.

**CERTIFICATE UNDER 37 C.F.R. 1.10:**

The undersigned hereby certifies that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated below and is addressed to Commissioner for Patents, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450.

Sue Lombrasko

By:

"Express Mail" mailing label number:  
EV 405493011 US

Date of Deposit: February 4, 2005

February 4, 2005

Date

AMM/skd

Respectfully submitted for

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Ann M. Muetting

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In re Application of:

BENZ et al.

Application No.:

10/663,925

Filing Date:

September 16, 2003

Title:

Polymers with Soft Segments Containing Silane-Containing Groups, Medical Devices, and Methods

Direct to:

Mail Stop MISSING PARTS  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application****Statement (check the appropriate box):**

The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

The copy of the papers enclosed (Specification, claims, abstract, filed September 16, 2003) are a complete and accurate copy of applicant's record of such papers.

February 4, 2005  
 Date

Signature

Ann M. Mueting

Ann M. Mueting  
 Typed or printed name

**A Copy of this notice should be returned with the reply.**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.